

YOUR RIGHTS, YOUR LIFE

A Resource for
Youth in Foster Care



The Mockingbird Society

Building a world-class foster care system through
collaboration, innovation and advocacy.

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Who is in “Foster Care”?

A youth is in **foster care** if he or she is in the custody of the Department of Social and Health Services (DSHS) Children’s Administration and has been placed away from his or her parents or guardians. This includes placement in a foster family home, foster home of a relative, or a group home.

Sometimes a youth may be placed away from his or her parents or guardians at the request of someone other than DSHS — for example, a youth’s parents may choose to place him or her with other family members. Youth residing in this kind of living arrangement are generally considered to be living in “*informal kinship care*,” not foster care. If

you are unsure if you are in foster care, you should contact Children’s Administration Constituent Services at 1-800-723-4831.

The information in this manual is specifically written for youth ages 12 and older. Certain laws or policies may have different age applications, which are specified within the manual as needed.



Disclaimer: This manual is intended as a practical guide for youth in foster care. Although it refers to laws and policies that may affect foster youth, it does not provide legal advice and the information in the manual should not be used or relied upon as legal advice. A youth who wants to know how laws or policies apply to a specific situation should contact his or her attorney, social worker, CASA or Guardian Ad Litem (GAL), or the Office of the Family and Children’s Ombudsman.

YOUR RIGHTS, YOUR LIFE is a resource
for youth in foster care, ages 12 and older,
including youth in group care facilities.

This book is designed to:



Inform you of your **statutory rights**,
as they are outlined and protected under
Washington State law.

They're YOUR RIGHTS. Be informed.



Encourage you to **be involved** in
your own dependency process and
advocate in positive ways for your own
successful future.

It's YOUR LIFE. Be involved.



Educate you about various **policies**
affecting you during your time in foster
care, as well as what you can expect from
your social worker during your foster care
placement.

Washington State policies



They're YOUR RIGHTS. Be informed.



As a youth in foster care, you have a right to...

- Protection from abuse and neglect.
- Have your basic needs met (food, clothing, shelter, and education).
- Be free from cruel, frightening, or unsafe discipline.
- Practice your own religion.
- Report abuse, neglect, exploitation, or violation of personal rights without fear of punishment, interference, or coercion.



Washington State Policies Affecting Youth in Foster Care

Under Washington State licensing requirements, foster care providers are required to...

- Provide a nurturing and supportive environment.
- Provide appropriate tools and training in personal care, hygiene, and grooming.
- Provide healthy foods in portions appropriate for your age and activity level.
- Discipline you in a manner that is appropriate to your level of maturity, developmental level, and medical status.

Foster care providers are forbidden from using:

- Parenting or disciplinary methods that include the use of corporal punishment, sleep deprivation, or restraining and/or locking a youth in a room or building.



It's YOUR LIFE. Be involved.

As a youth in foster care, there are many services available to you. Talk to your social worker about how you can:

- Apply for and receive Independent Living services, if you are in foster care 30 days beyond age 15.
- Develop a transition plan for when you leave foster care.
- Apply for and participate in continuing foster care and support services beyond age 18, if you are in foster care on your 18th birthday and attending high school, vocational program, or college.
- Apply for housing vouchers if you are leaving foster care on or after your 18th birthday. Housing vouchers are partial payments for rent after leaving foster care. Vouchers are only available in certain areas of the state.

You can also talk to your social worker about:

- What steps you can take to get a job.
- What steps you can take to get approval for driver's education and a driver's license.
- How to get approval to participate in extracurricular activities, sports, field trips, etc.





They're YOUR RIGHTS. Be informed.

As a youth in foster care, you have a right to...

If you have been taken out of your home and placed in foster care, there are people to support you! Talk with your social worker about getting an attorney and/or a CASA/GAL.

- Have someone appointed to represent your best interest in your dependency case, such as a Guardian Ad Litem (GAL), a Court Appointed Special Advocate (CASA), or an attorney. If there is no CASA/GAL available, the court can appoint a "suitable person" to act as a GAL for you.
- Access and review your case file with your attorney (if you have an attorney).
- Have your case reviewed in court every six months.
- Be consulted about your permanent plan, in an age-appropriate way.
- Be notified of and participate in your dependency hearings, if you are over age 12.

GLOSSARY OF LEGAL TERMS:

Attorney: An attorney is a legal professional certified by the court. An attorney may be appointed as your GAL, or if you are over 12 years of age, you may request an attorney to represent your own stated position (opinions you tell your attorney). You do not automatically receive your own attorney. Contact your social worker, your CASA/GAL, or any attorney involved in the case for more information.

CASA (Court Appointed Special Advocate): A CASA is a volunteer advocate who is appointed by the court to represent a minor's best interest during a dependency case. CASAs are ordinary citizens who care about the welfare of children and volunteer their time to help represent you in your case.



It's YOUR LIFE. Be involved.

During your dependency hearings, you have the option to...

- Request an attorney to represent your own stated position if you are 12 years or older. It is possible the court may not grant your request, but do not let this keep you from discussing the option with your social worker, CASA/GAL, or any other attorney involved in the case.
- Ask the court whether you can move back home. Even if your parents' parental rights have been terminated, you may be able to ask the court (with the help of an attorney) to place you back with your parents or allow you to visit them. The court only grants such requests in rare circumstances, but you can still discuss the option with your attorney.

Dependency Case/Dependency Hearings: A dependency case is opened when a juvenile court judge decides it is necessary to intervene in order to protect a child from abuse, neglect, abandonment, or harm that may result from a parent who is not able to meet the child's needs. Once a case is opened, the juvenile court will hold hearings to decide things like what steps the parents must take to have the child returned home, where the child should live if he or she cannot live at home and what can be done to make sure the child is doing well.

GAL (Guardian Ad Litem): A Guardian Ad Litem, or GAL, is someone appointed to represent your best interests (as opposed to the interests of your parents or of the state, which may differ from your own) while your dependency case is open before the court. A GAL may be a volunteer advocate (CASA) or an attorney.



They're YOUR RIGHTS. Be informed.

As a youth in foster care, you have a right to...

- Be placed in the least restrictive setting available that can meet your needs, with reasonable protection from harm and appropriate privacy for personal needs.
- Be placed in a home with your brothers and sisters whenever possible, or maintain regular contact or visits with siblings when separated, unless the court orders that contact or visits are not appropriate.
- Be placed with a willing and able relative you know and are comfortable with, when possible and appropriate.
- Have regular and frequent contact or visits scheduled with your parents, if it is in your best interest.
- Initiate and receive private phone calls and letters, when it is in your best interest.



Washington State Policies Affecting Youth in Foster Care

Under Washington State licensing requirements, foster care providers are required to...

- Provide you with personal bedroom space for storing your clothing and belongings.
- Keep your records and personal information confidential and in a secure place, only discussing information about you and your family with designated individuals directly involved with your case plan.



It's YOUR LIFE. Be involved.

Stay connected with the important people in your life.

- If you are not receiving regular contact or visits with your parents and/or siblings, you can tell your social worker, your CASA/ GAL, and/or your attorney that you want the visits to occur. Transportation to and from visits may be difficult to coordinate, but you should let others know how important the visits are to you and to your parents or siblings.
- Even if you are removed from your home and/or neighborhood, make an effort to maintain contact with significant people in your life, such as teachers, friends, personal supports, and relatives. These people may or may not be affiliated with the foster care system. If you need help maintaining contact, ask your social worker, GAL/CASA, foster parent, or attorney to help you.





They're YOUR RIGHTS. Be informed.

As a youth in foster care, you have a right to...

- Attend school.
- Remain in the same school even when you move to a foster home, when it is practical and in your best interest to do so.

TIPS FOR SUCCESS:

Take classes that engage and challenge you. Track your credits to high school graduation with your school counselor.

Get involved with extra activities like sports or after-school clubs. If you don't have money or transportation for these options, check with your foster parent, social worker, or Independent Living provider, as there may be assistance for you.



Find a supportive adult that can help you with the right choices for your future. Ask a social worker, counselor, teacher, or principal to assist you with any process you don't fully understand.



It's YOUR LIFE. Be involved.

Your education is important for your future.

- Moving homes does not mean you should stay out of school. If school is in session and you are not enrolled in and attending school within three days of being placed in foster care, call your social worker, attorney, or CASA/GAL to ask for help.
- If you are in special education, know your IEP or 504 plan. Ask questions. Participate in your meetings. If you are 16 or older, make sure your Transition Plan works for you.
- Before accepting a suspension or expulsion from school, you can ask to see the notice in writing.
- Ask for copies of your records and transcript and stay informed with your credits progress. Inquire with your counselor about options to make up lost work if needed.
- There are many educational options you can explore in addition to or as an alternative to high school, such as Running Start, alternative education, vocational education, or community college. Explore your options and find out which one is right for you.
- There are several programs/scholarships available to help cover costs associated with continuing your education (college or other post-secondary educational programs). Some of these include:

- » College Bound Scholarship
- » Independent Living Program
- » Educational and Training Voucher (ETV) Program
- » Governor's Scholarship
- » Passport for Foster Youth Promise Scholarship

Talk to your social worker, Independent Living provider, or school counselor to find the right programs for you.





They're YOUR RIGHTS. Be informed.

As a youth in foster care, you have a right to...

- Refuse any or all medicines, vitamins, or herbs, unless a medical professional or judge says you must take them.
- Obtain or refuse birth control and/or counseling regarding birth control.
- Receive medical coverage through state health insurance (Medicaid) until age 21, if you are in foster care on your 18th birthday.

If you are over the age of 13, you may also...

- Receive outpatient or inpatient mental health treatment without consent of a parent or guardian.
- Receive outpatient substance abuse treatment without consent of a parent or guardian.

If you are over the age of 14, you may also...

- Obtain tests and treatment for sexually transmitted infections without consent of a parent or guardian.



It's YOUR LIFE. Be involved.

Find out about the options and services available to you.

- If you have been prescribed medication(s) by a medical professional or been asked by someone else to take medications and you do not want to take them, talk to your attorney or social worker about what options might be available to you.
- If you find out you are expecting a baby, learn about all the options available to you. You should be free to make the best, informed decision for your life without excessive pressures from anyone else.
- Be sure to talk to your social worker about how Medicaid coverage until age 21 works and how it might compare or conflict with other possible options. Additionally, to ensure that you will continue receiving a medical identification card (medical coupon) each month after leaving foster care, contact the Foster Care MEDS Team (FCMT) at 1-800-547-3109 and provide a mailing address where you can receive your card.



What you can expect from your social worker during your foster care placement:

During your time in foster care, your social worker will...

- Help you and your family get the services available to help you be reunited as a family, whenever possible.
- Schedule regular contact or visits for you with your parents and siblings, whenever possible.
- Explore the option of placing you with a relative, if appropriate, before putting you in a licensed foster home or group care home.
- Try to keep you in the same school or school district (if practical and in your best interest).
- Explain how you can request a lawyer to help you through your dependency process, if you are over age 12 and feel that you need one.
- Make every effort to place you with caring foster parents or caretakers who are properly trained, have received background checks and screenings, and who receive adequate support to help provide stability in your placement.
- Make every effort to ensure your dependency case is heard in court every six months and inform you when these review hearings are being held.

YOUR SOCIAL WORKER WILL TALK TO YOU ABOUT:

- Why you are in foster care.
- How the foster care system works.
- What will be happening to you and your family, including your siblings.
- What is expected of you in your foster care placement.
- What a case plan is and what is included in your case plan.
- What efforts are being made to reunify you with your family.

Every child/youth who is in foster care in Washington State has a social worker whose job is to provide services that assist the family in getting back together, whenever possible, and to keep the youth safe and well cared for while in foster care.

For youth over the age of 15, your social worker will help you to...

- Know in advance what your options are on your 18th birthday if you are still in foster care.
- Know and understand the process to request continuing foster care and support services beyond age 18.
- Develop a transition plan for moving out of foster care.
- Obtain personal documents when needed and upon your exit from foster care, including birth certificate, social security card, Washington State Identicard, immunization records, and a copy of your health and education records. You can also request your records after leaving foster care.

COMPLAINTS OR CONCERNS?

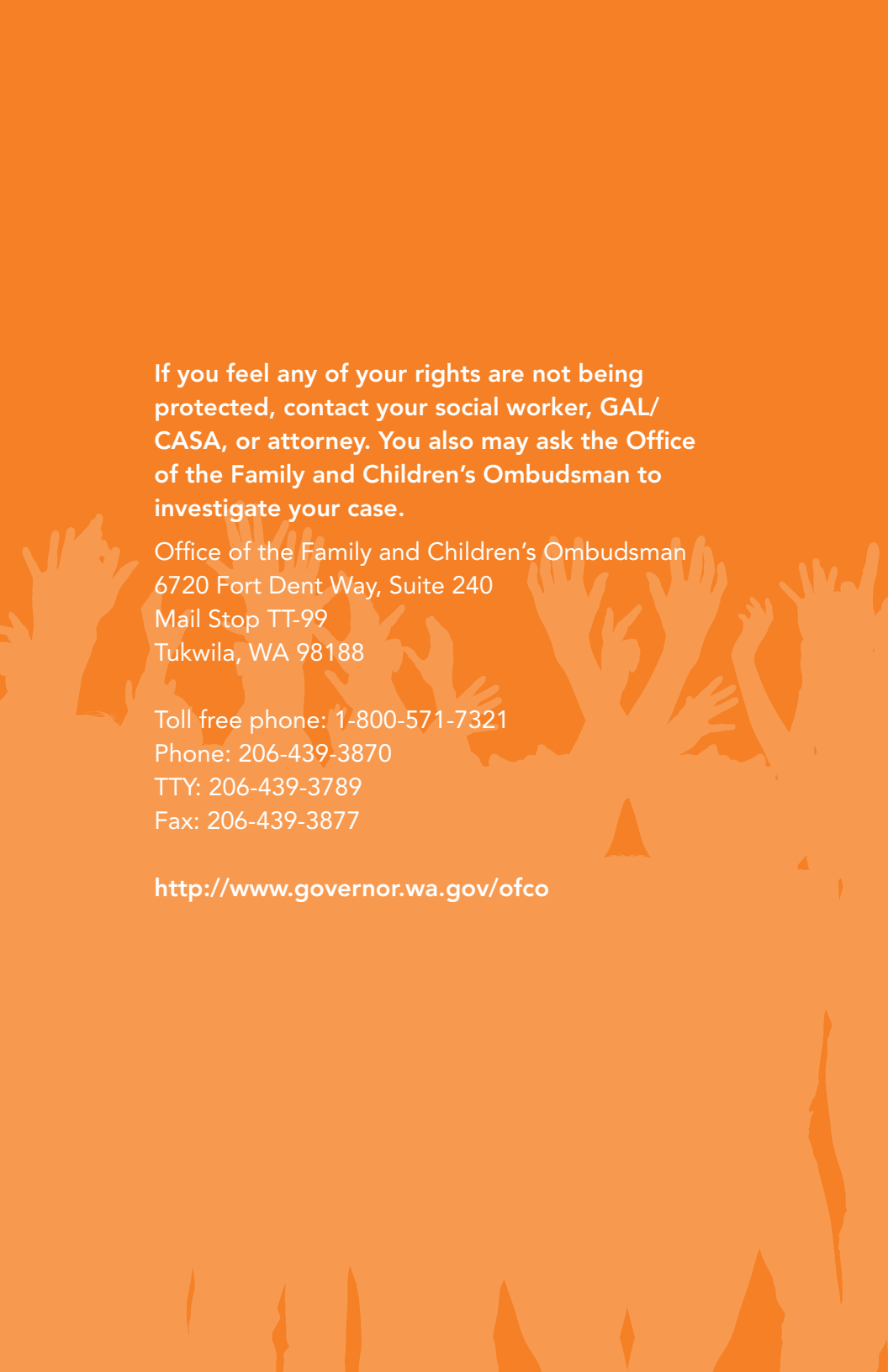
You may contact Children's Administration (CA) Constituent Relations if you have any complaints or concerns about your case. Constituent Relations staff will return your call within 24 hours and will work with you to resolve your complaint or concern. In addition, staff will assist you in understanding the child welfare system and the progress of your individual case. CA Constituent Relations can be contacted at:

ConstRelations@dshs.wa.gov

Toll Free 1-800-723-4831

360-902-8060

**You can find additional information online at:
independence.wa.gov.**



If you feel any of your rights are not being protected, contact your social worker, GAL/ CASA, or attorney. You also may ask the Office of the Family and Children's Ombudsman to investigate your case.

Office of the Family and Children's Ombudsman
6720 Fort Dent Way, Suite 240
Mail Stop TT-99
Tukwila, WA 98188

Toll free phone: 1-800-571-7321

Phone: 206-439-3870

TTY: 206-439-3789

Fax: 206-439-3877

<http://www.governor.wa.gov/ofco>

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College Success Foundation
Columbia Legal Services
Community Youth Services

Office of the Family & Children’s Ombudsman
Treehouse
Washington State CASA



Department of Social and Health Services
Children’s Administration
PO Box 45710
Olympia, WA 98504
Toll-Free: **1-866-END-HARM**
www.dshs.wa.gov/ca



The Mockingbird Society

Building a world-class foster care system through collaboration, innovation and advocacy.

The Mockingbird Society serves children, youth and families involved in the child welfare system throughout Washington State and nationwide. Through our nationally-recognized programs, The Mockingbird Society is committed to working collaboratively with youth, families, and community partners for system reform and improvement.

To find out more about The Mockingbird Society’s award-winning programs, please visit our website at www.mockingbirdsociety.org or contact us:

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